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TUESDAY, PEBRUARY 28, 1904.

About the Primary Law. What is looked upon as a general legal.

zed primary election law appears in the acts of Assembly of 1903-'04. It has been interpolated in the revision of chapter 10 of the Code of Virginia, and is now chapter 667, and was approved by the Governor January 11, 1904.

The full title of the act, which covers nearly twenty pages, is as follows: "An act to amend and re-enact chapter 10 of the Code of Virginia, in reference to general and special elections; when and where to be held; regulation for their conduct and government; compensation for services in elections.

"In section 122 of this act, it is provided, in effect, that the qualifications of voters and provisions against fraud in primary elections shall be substantially the same as they are in regular cleotions, whether the same be held under any statute law of this State or under a plan provided by some political party."

In section 122, under the heading "Cost of Elections," it is provided that "the cost of conducting elections under this chapter shall be paid by the counties and cities respectively."

Objection is made to this statute by several members of the General Assembly who are learned in the law and whose opinion is entitled to respect. Some of them are well known friends of the primary system. Their honesty and good other things, it is said that the title to this act is not sufficiently broad to make tions constitutional. They do not think that a primary election is an election

month of June, and according to practions. It ought to be known to the public two houses of the General Assembly have constitutionality of it, then they should proceed to correct it in every respect where doubt is entertained.

It does not seem that the perfecting of this act would conflict with any law which the Legislature might hereafter cities and towns of Virginia ought not tions this year without knowing whether they are safe-guarded by law or not. And then, too, it is of the highest importance know whether the expenses of primary elections are to be paid by the counties tions levied upon candidates as hereto-

Legislature will give this subject early and earnest attention. We are opposed to the Legislature's interfering too much do good. Many people have the habit an with the details of party primaries, but we cannot but urge that it will safething, certainly, it ought to do, and it ought to do it so well and so clearly that the protection of the law will follow and shield each primary just as it would a regular election.

John Mitchell's Wisdom.

One of the most instructive of all the interviews Mr. Frank G, Carpenter has sent us is that with President John Mitchell, which was printed in our issue

Mr. Mitchell is a thorough-going labor union man, and his sympathies are all with his fellow-workmen. He is a parti-At any rate, he is honest and courageous, and we always read with interest whatever he has to say on this subject.

In the course of the Interview, now unger discussion, Mr. Mitchell was asked about combinations of capital and the, combinations of labor and whether or not they were against the public interest. He replied that the public would not permit itself to be fleeced, and that any improper combination or agreement at once would be exposed. By way of iland the coal teamsters of Chicago formed public, whose purpose was to charge exorbitant prices, but that the combination lasted only a few days; as soon as it was exposed, it went to pleces. "And it will be," he added, "with any comthere is competition; you can't have big profits without it. I do not care how If you put them up here in Washington, the Baltimore workmen

If all labor leaders would recognize that simple truth, there would be less trouble in the working world. This is the doctrine which The Times-Dispatch has preached over and over again. First of all, we have given warning that no unrighteous combination, formed in greedand selfishness with a view to promot public and in defiance of the rights fallsts or a combination of laborers.

The American people are lovers of

ployer to pay a wage higher than some other man, or set of men, equally com petent, will work for. That was thoroughly demonstrated during the recent strike of street car employes in this

Salt Water for Fires.

Since the Baltimore disaster New Yorkers have been considering more or less seriously the proposition to employ said

The argument in favor of the plan that it would greatly relieve the demand make the city independent of the reser voir and avoid any possibility of failure

water in New York, or in any other city public buildings: In this way it would for it would act as a disinfectant s

cost of laying another set of pipes, but supply from the harbor, rather than from nteresting proposition for cities which have an inexhaustible supply of salt water at their very doors.

What'll He Do With It?"

posed to give him the prize, did we not he is so useful, and from a profession which he has always adorned.

patch to carry out the purpose it had in ple think that it would be a great lark matter for a conscientious man or woman

Again in raising the compelled to go into primary elec-, ginto might get a valuable hint from our which money can be profitably employed by those who are possessed both of riches and the true spirit of philanthropy.

But we had still another objective view We do not believe in day dreaming, bu a little eir-castle-building of the right sort does no harm, and sometimes may a bad habit it is, of taking their troubles to bed with them. It is this sort of thing guard them against fraud. That simple that is responsible very largely for insoming, about which we hear so much. Troubles make a bad bed-fellow and are sure to prevent sleep. It is difficult when troubles are upon us to put them out of mind, and the only way to do it, the only way to change one's thoughts, is to substitute a new thought for the old. We. therefore, recommend to those who take their troubles to bed with them and are deprived of sleep thereby to employ the question which we have put as a remedy for insomnia. Spend \$50,000 on yoursell and your loved ones, in making presents. in relieving distress, in delightful journeys on private car and private yachtbut before you have spent half of it, you are upt to be in dreamland. Try it and

Educating the Negro.

Booker Washington recently made an indirect reply to the charge of Governor Vardaman that education, instead of helping the negro, tended to the promotion of crime. He stated that he had sent letters to representative white men in the South, putting some practical questions to them concerning the negroes progress. He received 136 replies to his letters, and here are a few of the re-

Has education made the negro a more

isgin; citizen; Answer-Yes. 121; no, 4; unanswered, 11. Has it made him more economical and nore inclined to acquire wealth? Arswer-Yes. 98; no, 14; unanswered.

Does it make him a more valuable thought are required? Answer-Yes, 132; no. 2; unanswered, 2.

Has it made his religion less emotional nd more practical?
Answer-Yes, 101; no, 10; unanswered,

is it, as a rule, the ignorant or the Answer—Ignorant, 115; educated, 3; un-answered, 17.
Does crime grow less as education in-creases among the colored people?
Answer—Yes, 102; no, 19; unanswered,

Is the moral growth of the negro equal to his mental growth?
Answer—Yes, 55; no. 46; unanswered, 35. On his own account he made the fol-

lowing statement:

"Not a single graduate of the Hampton Institute or of the Tuskegee Institute can be found to-day in any jall or State penitentiary. After making careful inquiry, I cannot find a half dozen cases of a man or woman who has completed a full course of education in any of our a full course of education in any of our reputable institutions like Hampton, Tuskegee, Fisk or Atlanta, who are in prisons. The records of the South show that 00 per cent. of the colored people in prison are without knowledge of trades and 61 per cent. are illiterate. This statement alone disproves the assertion that the negro grows in crime as education increases. If the negro at the North is more criminal than his brother at the South, it is because the North withholds from him the opportunity for employment which the South gives. It is not the educated negro who has been not the educated negro who guilty of or even charged with crime

ates of the Normal School at Hampton, public schools of Lynchburg, makes the statement that only one graduate of the negro High School in that city has ever been arrested for a criminal offerse, and

It is sheer nonsense to say that go training injures any person, no matter then the whole theory of education is education of whites, is to have the right Ill Leach, first of all, the lesson of obedience. If children are taught obedience and all that it implies, the foundation of good character will have been laid, and good results are sure to follow

ments made since the war between Russin and Japan began is the statement to spread. The more it is attempted to rint. When the people are satisfied that they know the whole story, they will soon This is a bit of shop philosophy that is as useful to individuals as it is to officers of government.

Yesterday's Washington Post made a aw departure in printing its weather coort—we should say its weather rethe left-hand corner, was this forecast;

Weather.—Rain to-day; to-morrow fair and colder; fresh to brisk shifting winds, becoming northwesterly. And on the right-hand corner this:

Weather.-Fair to-day; rain or now at night or to-morrow; fresh

That is very ingenious, and, in times like this, it is more or less justifiable Ordinarily, a newspaper is not expected to take but one guess at the weather. But these are no ordinary times in weather circles. With the thermometer and the barometer doing stunts every hour, it is hard for any weather prophet to keep his bearings and prop ecy with weather may bring forth. Therefore, our Washington contemporary is pardonable for adopting the double standard and taking two guesses instead of one. Nor do we blame the Post's prophet for giving himself plenty of latitude. On the left he predicts "Rain to-day; fair to-On the right "Fair to-day; morrow."

rain to morrow." In making this forecast the prophet reasoned within himself: "M it be fair to-day and rain to-morrow, there will be the right predictions; if otherwise, the one that is left. In either event, the forecast will be right."

Is Saul also among the prophets? \ House Bill No. 94.

It appears from the third article published by us to-day on the Torrens system, that there are more than 100,000 adults in Virginia owning \$500 worth of real estate. As this amount of property confers the right of suffrage inder the new Constitution, it is probable that each one of these citizens is a voter. Judging from the registration returns, it would seem that the land-owners Answer-Yes, 132; no. 2; unanswered. 2. In Virginia will carry the balance of the black race?

Answer-Yes, 97; no. 20; unanswered, 19. No. 620, 19. N

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Violets! Violets!

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W. A. Hammond.

tem, and thus emphasizes the great importance of House bill, No. 94.

Since the death of Mr. Hanna, there is greater doubt than ever before whether the Senate will confirm Leonard Wood as a major-general in the army. Mr confirmation, and now that he is dead, a number of members feel as though they would like to respect his wishes in

seems to be antagonistic to the considcration of the nomination at this time. The probability is that action will be deferred until March; indeed, it may

It is understood that Senator Scott of West Virginia, who made the minor. ity report of the Senate Committee on Military Affairs, will not assume the leadership of the opposition.

Professor Julius Nelson, biologist for said, will supply all the material one would need for extensive planting.

This is important, if true and if i Our impression, though dim, is that made before, and therefore we shall watch out to see exactly what Profes-

The Citizens' Emergency Committee of of the streets in the burned district property-numers shall be assessed one whilst the remainder is paid for out of the public treasury.

property-owners should pay one-half, but after a prolonged discussion of this point, the determination was reached that one-third would, in all the circumstances be fairer and better.

Colonel Watterson has finally ancounced that if Cleveland, "the upper milistone," and Bryan, "the nether millstone," shall both be sidetracked, he will between them, even though it should

The United States Senate will to-day take a vote on the ratification of the fied. Senators Daniel and Martin are expected to vote in the negative,

nations, little Chili manages to have a few war ships to sell to either or both at a good round profit. line of business that. She buys them in

The hatchet and the cherry tree, that never existed, received more attention in the public schools yesterday than did G. Washington, who did exist to a considerable extent.

The Honorable Mark Hanna lived down the cruel cartoonists and become one of the most popular men in public life. No small man could have done that.

As long as the orders for supplies keep coming in. Uncle Sam will not bother about offering Japan and Russia any olive branch suggestions.

Anyhow, when your Uncle Grover reaches for his typewriter, he always puts something on the paper that all the people gladly road.

Santo Domingo is trying very hard to keep up a side show, but from a war news standpoint, Santo Domingo is getting lost in the shuffle,

----Colonel Bryan will find Richmond a mighty hospitable old town, although it may take but little stock in some of his political vagaries.

The Jamestown Exposition, that is to be, is said to be creating more talk in the patriotic North than the St. Louis

The long looked for warm rain has at last given old winter a whack that it may not recover from this year, The Japs had better mind how they

cut those wires. They might strike a live one. Sales To-day and To-morrow,

But one public auction sale is announced for to-day. Messrs. J. Thompson Brown and Company will offer at 5 P. M. No. Sis Buchanan Street. This is a two-story brick and frame dwelling, fronting 25 feet on the west side of Buchanan. This is considered an excellent place of investment property.

Voice of People

___ON___

Current Topics.

PRIMARY ELECTION BILL Some Explanation of Its Provisions and Purposes.

Editor of The Times-Dispatch:
Sir,-Since the bill to provide for primary elections was introduced into the Senate there has been a general interest manifested in its scope and purpose, and it may not be untimely to mention what seems to be the necossity for such a law and to give some explanation of its provisions.

and to give some explanation of its pre-visions.

These who oppose all primary elections cannot, of course, be reconciled to any measure which attempts to make pri-maries clean and effective and, therefore, popular. Fortunately, such people are few, and from all indications are growing rapidly fewer. As public sentiment is now trending, it would seem not improbable that before many years people holding that view will be more remarkable for their eccentricity than for their numbers or influence.

their eccentricity than for their numbers or influence.

The real difficulty in drawing a bill to legalize primaries is to harmonize the conflicting, not to say contradictory, opinions of the honest fribands of the primary system. That this difficulty is not fanciful will be appreciated by any one who undertakes the task. Some think there should be a thorough-going and exhaustive plans going into the minutest details, and leaving little or nothing to the purity authorities. Others hold that there should be no legislation except site as merely puts an O. IC. upon whatever plan a party may adopt. Some seem to be satisfied with the mere thought that a party plan has been "legalized," while others insist that the legalization amounts to nothing inless the persons concerned can enforce their rights in the courts and invoke the averaging power of criminal stututes against those who may make a mockety of the plan in practice. Some think primaries should be optional with the parties, while others wish them compulsory. Some believe that the party committees should have absolute control over the machinery of the primary election, while others think they should have none.

THEE COST.

Some think the State should bear the whole expense of primaries; others that only part of the expense should be borne by the State, while still another class think the State should pay nothing at all for such purposes. Some want straight primaries in all cases; others want conventions in some cases and conventions in others. It is clear that no bill will be satisfactory in all respects to all of these classes of persons. The best that can be done is to secure one which as nearly as possible meets the views of all, without being wholly obnoxious to any. Government has been defined to be the science of the second best. If we cannot have the law whick is ideally the best, we can at least have the best to be had. The general public h

THE SYSTEM.

From a Democratic point of view there is no longer the necessity of argument in favor of primaries. They have been growing in popularity for many years, until to-day the sentiment is overwhamingly in their favor. The last State convention empowered the State convention empowered the State Central Committee to formulate one and premulgate it for all nominations down to members of the General Assembly, and all of the present Legislature who were elected last fall, as well as Senator Daniel, who has succeeded himself in the United States Senate, received their nominations in this manne features of the plan promulgated by the State Committee were objectionable to many. The viva voce method of voting was protested against almost everywhere and repudlated in many parts of the State. The opinion is practically unanimous that it should not have been adopted, and will not be tolerated again. The fact that the plan made primaries compulsory in all congressional and legislative districts, without regard to local conditions, was regarded generally as a mistake, but it was the mistake of the convention, and not of the committee. The further fact that the number of judges and olerks was not limited and their pay not restricted allowed opportunities for unrestricted allowed opportunities for unrestr

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the necessity of doing a thing hastilly or leaving it to one or two men to do leisurely, can, in the nature of things, accomplish antisfactorily such a matter as drafting a primary election law. At least, it is no disparagement to say that the same men could do so much better if they were members of the Legislature, and could have the measure considered carefully in committees, with opportunity for all persons to be heard, sitting day after day, working out the details of the plan, and having the advantage or a full discussion on the floor of both houses, and knowing further that what was being done would have the authority of law, with all the safeguards and penalties which attach to a statute. The powers of a State Committee may well be executive, and in some cases it is proper that they should be judicial, but it is submitted that their organization is such that they are not adapted to legislative work.

COMMITTEE'S ADAPTATION.

But even if such a committee were adapted to the work of devising a pri-

ilkely to occur if the powers of the committee were restricted to ordering the primary and prescribing certain necessary and supplemental rules? Moreover, the plan of a committee, however excellent, cannot have the force and effect of a statute. It is not believed that a party committee can be given the power to adopt a set of rules which, if violated, will make the violator subject to fine or imprisonment. It is clear that to do so would be in effect a delegation to such a committee of the power to enact criminal laws, and it is equally clear that such a power cannot be so delegated. Even if it could, it cannot be so be a committee and detailed system, such as our election laws, intended to apply to the election of officers, can be made at one stroke to apply to so different a thing as the nomination of candidates for office. The phrase, "as far as applicable." does not help the case, if the general election laws are wholly inapplicable. There are many agencies brought into play in a primary election which have no analogy in the regular elections, and laws intended for the latter would not in the least apply to the former.

THE TITLE TO THE ACT.

It is seriously doubted whether the title to the act is sufficiently broad to make the recent constitutional. That title provides for "general, local and special elections." It is doubtful whether a primary election is an election as all within the meaning of that title, or, as the word is used in the Constitution. If it is, then the expense of such an election must be borne by the counties and cities, whether held by Democrats, Republicans, Populists, Prohibitionists on the primary plant that the Legislature is the proper body to formulate such a plan, and that the friends of the primary plant that the crisistance of all parties to express their choice of candidates.

Respectfully.

LEYNS H. MACHEN.

that it should not content the content of that the content of the